

REMARKS

Claims 24-28 are pending, claims 1-23 and 29-32 are withdrawn from consideration, and new claims 33-52 have been added. No new matter has been added by virtue of these amendments and additions. For example, support for claim 33 may be found at page 48, second full paragraph. Support for claim 33 may be found at page 47, second full paragraph. The claim amendments and additions are supported by the specification and the originally-filed claims.

Amendment and cancellation should in no way be construed as an acquiescence to any of the Examiner's rejections. The amendments to, or cancellation of, the claims are being made solely to expedite prosecution of the present application and do not, and are not intended to, narrow the claims in any way. Applicants reserve the option to further prosecute the same or similar claims in the instant or in a subsequent patent application.

Drawings

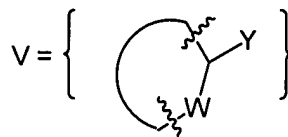
The drawings were objected to for the reasons set forth in Form PTO 948. Formal drawings correcting the deficiencies are concurrently submitted herewith.

Rejection of Claims 24-27 under 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claims 24-27 under 35 U.S.C. § 112, second paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner has stated that it is unclear what the symbols that dissect the bonds after the variables W and Y represent. Without intending to narrow the claims in any way, Applicants respectfully submit that the symbols that dissect the bonds indicate that the bonds may be of any order, for example, single, double, or triple bonds. Applicants respectfully assert that indicating the bonds as only a single line would indicate the bonds were single bonds.

The Examiner has further rejected claims 24-27 under 35 U.S.C. § 112, second paragraph, as allegedly indefinite because the phrase "the ligand V comprises W, Y, and a having from 4 to about 8 atoms in the ring structure, optionally aromatic and optionally substituted" appears to indicate that there is more than the representation of the ligand V on the

top of page 191.” To clarify, Applicants respectfully submit that the ligand V comprises one of the four ligands of the platinum complex depicted at the top of page 191:




The ligand V is a heterocycle, optionally aromatic and optionally substituted, that comprises the atoms W and Y and has from 4 to about 8 atoms in the ring structure. Solely to expedite prosecution and not in acquiescence to the rejection, Applicants have amended claim 1.

CONCLUSION

Applicants consider the Response herein to be fully responsive to the referenced Office Action. Based on the above Remarks and Amendment, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance of the pending claims is requested. If a telephone conversation with Applicants' Agent would expedite prosecution of the above-identified application, the Examiner is urged to call the undersigned at (617) 832-1000.

Respectfully submitted,
FOLEY HOAG

September 22, 2003
Patent Group
Foley Hoag LLP
155 Seaport Blvd.
Boston, MA 02210-2600
Tel: (617) 832-1000
FAX: (617) 832-7000
Customer Number 25181


Jennifer A. Zarutskie, Ph.D.
Reg. No. 50,558
Agent for Applicants